

REMARKS**Summary of the Office Action**

In the Office Action, claims 4, 9 and 28 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim subject matter which the Applicants regard as the invention.

Claims 1-2, 7-12, 24, and 31-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Document No. 10279169A as interpreted in light of equivalent U.S. Patent Nos. 5,895,036 and 6,120,020 both to *Asao*.

Claims 1-2, 7-12, 16-18, 24, 31-36, and 38-39 stand further rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese 10279169 and the two U.S. Patents to *Asao*.

Claims 3, 5-6, 13-15, 19-23, 25-27, 29-30 and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 4 and 28 would be allowable if rewritten to overcome the § 112, second paragraph, rejections set forth in the Office Action and to include all the limitations of the base claim and any intervening claims.

Summary of the Response to the Office Action

Applicants amend claim 9. Accordingly, claims 1-39 are pending for further consideration.

All Claims are Allowable

Claims 4, 9 and 28 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim subject matter which the Applicants regard as the invention. The Examiner is thanked for the helpful suggestions for amending these claims so as to overcome any alleged indefiniteness and informalities. These suggestions have been incorporated into claim 9.

However, it is respectfully submitted that claims 4 and 28, as originally submitted, are in compliance with the requirements of 35 U.S.C. § 112, second paragraph. Applicants respectfully submit that one of ordinary skill in the art would know that that the phrase "high coefficient of friction" is relative to the coefficient of friction between sheets of paper loaded onto the binding table. As such, dependent claim 4 and dependent claim 28 meet all requirements of 35 U.S.C. § 112, second paragraph. Accordingly, it is respectfully requested that the rejections under 35 U.S.C. § 112, second paragraph, be withdrawn.

All Subject Matter Complies With 35 U.S.C. § 102(b)

Claims 1-2, 7-12, 24, and 31-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Document No. 10279169A as interpreted in light of equivalent U.S. Patent Nos. 5,895,036 and 6,120,020 both to *Asao*. These rejections are respectfully traversed in view of the following comments.

Applicants respectfully submit that a §102 rejection should be based on a single reference only. However, it appears the Office Action has impermissibly combined the three above-mentioned references to reject the claims. Additionally, the existence of §103 rejections for the same claims suggests that the above-mentioned §102 rejections are inadequate. Accordingly, applicants respectfully submit that the §102 rejections are improper.

All Subject Matter Complies With 35 U.S.C. § 103(a)

Claims 1-2, 7-12, 16-18, 24, and 31-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Document No. 10279169A as interpreted in light of equivalent U.S. Patent Nos. 5,895,036 and 6,120,020 both to *Asao*. These rejections are respectfully traversed in view of the following comments.

Applicants respectfully submit that if the claims are anticipated, there is no question of obviousness present. Because the exact same claims (above) are anticipated by the exact same references, with the exception of claims 16-18, the rejections under §103 should not have been applied.

In addition, the Office Action has not indicated which features are made obvious by what references as required in M.P.E.P. 706.02(j). Further, the Office Action has not indicated whether the abstract of the Japanese patent was relied on or its full text. M.P.E.P. §706.02 states that “[i]f the document is in a language other than English and the examiner seeks to rely on that document, a translation must be obtained so that the record is clear as to the precise facts the examiner is relying upon in support of the rejection. The record must also be clear as to whether the examiner is relying upon the abstract or the full text document to support a rejection.”

Accordingly, Applicants respectfully submit that the §103 rejections are improper.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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